

HOUSE BILL 622
By McCord

AN ACT to amend Tennessee Code Annotated, Title 70,
Chapter 7, relative to limitation of monetary
damages for certain landowners.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 70, Chapter 7, Part 1, is amended by
adding the following language as a new section:

Section 70-7-106.

(a) Subject to the provisions of this part, the liability of an owner, lessee, or occupant of agricultural, forest, or other undeveloped land used for recreational or educational use and/or purposes for an act or omission by the owner, lessee, or occupant relating to the premises that results in damages to a person who has entered the premises is limited to a maximum amount of five hundred thousand dollars (\$500,000) for each person and one million dollars (\$1,000,000) for each single occurrence of bodily injury to or destruction of property. In the case of agricultural land, the total liability of an owner, lessee, or occupant for a single occurrence is limited to one million dollars (\$1,000,000), and the liability also is subject to the limits for each single occurrence of bodily injury or death and each single occurrence for injury to or destruction of property stated in this subsection.

(b) This section applies only to an owner, lessee, or occupant of agricultural, forest, or other undeveloped lands used for recreational or educational use and/or purposes who has liability insurance coverage in effect on an act or omission described by subsection (a) and in the amounts equal to or

greater than those provided by subsection (a). The coverage may be provided under a contract of insurance or other plan of insurance authorized by law. The limit of liability insurance coverage applicable with respect to agricultural, forest, or other undeveloped lands for recreational or educational use and/or purposes may be a combined single limit in the amount of one million dollars (\$1,000,000) for each single occurrence.

(c) This section does not affect the liability of an insurer or insurance plan in action or an action for bad faith conduct, breach of fiduciary duty, or negligent failure to settle a claim.

(d) This section does not apply to a governmental unit and/or agency.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.